

REMARKS

The claims were finally rejected in the Office Action of May 14, 2009. This response addresses the issues raised by the Examiner, as follows:

Order of Claims. The claims have all been canceled and rewritten as new claims 41-59 corresponding to the previous claims, but written with the independent generic claim as the first claim (41).

Non-enablement. Claim 41 and subsequent claims that have definitions of R^2 have been amended so that they conform with the Examiner's suggestion on page 4 of the Office Action of what he believes is enabled for R^2 . New Claim 48 has been added which defines R^2 as only the specific disubstituted benzyl group that is most active.

New Matter. The original claims included definitions of R^5 and R^6 that did not claim all of the R^5 and R^6 groups that were in the actual examples. Definitions of R^5 and R^6 were inserted based on the actual examples but were rejected as being "new matter". The definitions of R^5 and R^6 in Claim 41 are written so that they claim only the omitted R^5 and R^6 groups as they are used in the specific examples that contain the groups. This is believed to overcome the new matter rejection.

Restriction Requirement. The Examiner objected to the claims because they did not completely conform with the Restriction Requirement. New Claim 41 is believed to be completely in conformance with the Restriction Requirement.

Withdrawn claims. The method of use claims have been renumbered as Claims 56-59. These were withdrawn by the examiner and are still shown in the listing of claims as withdrawn. They have been amended so that they depend on Claim 41, so that they are eligible for rejoinder once the compound claims have been allowed. They have also been reduced in breadth by eliminating some of the methods of using the compounds, such as ameliorating and preventing. Claim 41, which was directed to chemokine receptor activity, has been changed to the specific receptor (CCR2).

Summary

This amendment is believed to be a complete response to the final rejection. Entry of the amendment and consideration of the amended claims and remarks is respectfully requested.

It is respectfully submitted that the amended claims are adequately enabled and are in condition for allowance. Such allowance is earnestly solicited.

If the examiner wishes to discuss any matter relating to this application, he is invited to telephone the undersigned attorney at the number below.

Respectfully submitted,

By 

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